IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

WP(C).No. 26193 of 2007(R)

PETITIONER:

T.T.THOMAS, AGED 55 YEARS,
S/O. THOMAS, RETIRED AS FIREMAN,
THURUTHELPUTHENPURACKAL HOUSE, KOLLADU P.O.,
PANACHIKKADU VILLAGE, KOTTAYAM TALUK,
KOTTAYAM DISTRICT.

BY ADV. SRI.KARJET KODUVATH
SRI.C.R.BALRAJ
SRI.JADE KORASON

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
CHIEF SECRETARY, KERALA STATE,
THIRUVANANTHAPURAM.

2. SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

3. THE COMMANDANT GENERAL,
KERALA FIRE & RESCUE SERVICES, HEAD QUARTERS,
PULIMOOD P.O., CHENGALCHOOLA,
THIRUVANANTHAPURAM.

BY ADV. SMT. SUDHA DEVI, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI , J

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W.P.(C) NO. 26193 OF 2007

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Dated this the 4th day of September, 2007.

JUDGMENT

The petitioner who was an employee of the Fire and Rescue Services, retired from service while he was working as Fireman/Driver, on 28.02.2007. He is aggrieved by the non-granting of 2nd higher grade, which he claims he is entitled to as per Ext.P1 Government Order. He is also aggrieved by the fact that though eligible he was not given the eligible disability leave, he had to remain away from duty for a period of 90 days in 2001, due to an accident which claims he suffered in his duty.

2. Ext.P5 representation containing these requests is pending before the 2nd respondent. The grant of a 2nd higher grade will be reflected in the last pay of the petitioner.

3. In the facts and circumstances of the case, the writ petition is disposed of directing the 3rd respondent to consider and take appropriate decision on Ext.P5 within a period of six months from the date of receipt of a copy of this judgment. If the 3rd respondent feels that a decision can be taken after obtaining proper instructions from the Government, he may forward the representation to the Secretary

to Government-2nd respondent who shall take a decision on that regard within a period of six months from the date of receipt of request made in that regard by the 3rd respondent. Appropriate service details shall be furnished by the 3rd respondent to the 2nd respondent in such a contingency.

The writ petition is disposed of as above.

V. GIRI, JUDGE.

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